

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MATTHEW W. WOOD]
Plaintiff,]
]]
v.] No. 3:13-0689
] Judge Trauger
WILLIAMSON COUNTY, TENNESSEE,]
et al.]
Defendants.]

O R D E R

The Court has before it a *pro se* prisoner complaint (Docket Entry No.1) under 42 U.S.C. § 1983 and an application to proceed in forma pauperis (Docket Entry No.2).

It appears from the application that the plaintiff lacks sufficient financial resources from which to pay the fee required to file the complaint. Accordingly, plaintiff's application to proceed in forma pauperis is GRANTED. 28 U.S.C. § 1915(a).

The plaintiff brings this action against Williamson County and the State of Tennessee. Having reviewed the complaint, the Court finds that the plaintiff's allegations are insufficient to impose municipal liability upon Williamson County or overcome the State of Tennessee's sovereign immunity. Therefore, the plaintiff has failed to state a claim upon which § 1983 relief can be granted. 28 U.S.C. § 1915(e)(2).

Nevertheless, this Court, in the interests of justice, is

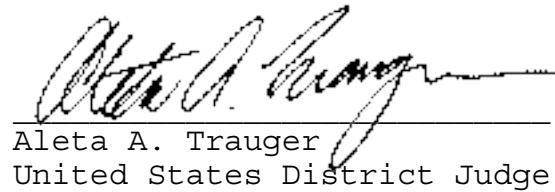
obliged to liberally construe a *pro se* pleading in a manner that will give it full effect.

The plaintiff is a pretrial detainee who is alleging that he has been incarcerated since April 22, 2013 without any form of due process. As part of his relief, he requests an immediate release from custody. Given these circumstances, the Court liberally construes plaintiff's complaint as a petition for habeas corpus relief under 28 U.S.C. § 2241.

The defendants (respondents) shall file an answer, plead or otherwise respond to the petition in conformance with Rule 5, Rules --- § 2254 Cases, within thirty (30) days of the date of entry of this order on the docket.¹

The Clerk is directed to serve a copy of the petition and this order by certified mail on the Sheriff of Williamson County and the Attorney General of Tennessee. Rule 4, Rules --- § 2254 Cases.

It is so ORDERED.



Aleta A. Trauger
United States District Judge

¹ The Court may, in its discretion, apply the Rules Governing § 2254 Cases to a § 2241 petition. Rule 1(b), Rules --- § 2254 Cases.

